



General Assembly

February Session, 2014

## ***Amendment***

LCO No. 5041

**\*SB0023505041SD0\***

Offered by:

SEN. MAYNARD, 18<sup>th</sup> Dist.

REP. GUERRERA, 29<sup>th</sup> Dist.

SEN. BOUCHER, 26<sup>th</sup> Dist.

REP. SCRIBNER, 107<sup>th</sup> Dist.

To: Subst. Senate Bill No. 235

File No. 192

Cal. No. 168

### ***"AN ACT CONCERNING REVISIONS TO THE TRANSPORTATION STATUTES."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 13b-2 of the general statutes is amended by  
4 adding subdivision (10) as follows (*Effective October 1, 2014*):

5 (NEW) (10) "Fare inspector" means an employee of (A) the  
6 department designated by the commissioner, or (B) a third-party  
7 contractor employed by the department, whose duties are to inspect  
8 tickets, passes or other documentation required to show compliance by  
9 the passenger with the fare payment requirements of state-owned or  
10 controlled bus public transportation service when the fare payment is  
11 off board or a combination of off board and on board such bus.

12 Sec. 2. Subsection (a) of section 13b-34 of the general statutes is

13 repealed and the following is substituted in lieu thereof (*Effective*  
14 *October 1, 2014*):

15 (a) The commissioner shall have power, in order to aid or promote  
16 the operation, whether temporary or permanent, of any transportation  
17 service operating to, from or in the state, to contract in the name of the  
18 state with any person, including but not limited to any common  
19 carrier, any transit district formed under chapter 103a or any special  
20 act, or any political subdivision or entity, or with the United States or  
21 any other state, or any agency, instrumentality, subdivision,  
22 department or officer thereof, for purposes of initiating, continuing,  
23 developing, providing or improving any such transportation service.  
24 Such contracts may include provision for arbitration of disputed  
25 issues. The commissioner, in order to aid or promote the operation of  
26 any transportation service operating outside the state, may contract in  
27 the name of the state with any person, including, but not limited to,  
28 any common carrier, or with the United States or any other state, or  
29 any agency, instrumentality, subdivision, department or officer  
30 thereof, for purposes of providing any transportation service in the  
31 event such assistance is required in the case of an emergency or a  
32 special event. The state, acting by and through the commissioner, may,  
33 by itself or in concert with others, provide all or a portion of any such  
34 service, share in the costs of or provide funds for such service, or  
35 furnish equipment or facilities for use in such service upon such terms  
36 and conditions as the commissioner may deem necessary or advisable,  
37 and any such contracts may include, without limitation thereto,  
38 arrangements under which the state shall so provide service, share  
39 costs, provide funds or furnish equipment or facilities. To these ends,  
40 the commissioner may in the name of the state acquire or obtain the  
41 use of facilities and equipment employed in providing any such  
42 service by gift, purchase, lease or other arrangements and may own  
43 and operate any such facilities and equipment and establish, charge  
44 and collect such fares and other charges or arrange for such collection  
45 for the use or services thereof as he may deem necessary, convenient or  
46 desirable. The commissioner or any fare inspector, as defined in

47 section 13b-2, as amended by this act, shall have the authority to issue  
48 citations for any violation of section 3 of this act. The commissioner  
49 may also acquire title in fee simple to, or any lesser estate, interest or  
50 right in, any rights-of-way, properties or facilities, including properties  
51 used on or before October 1, 1969, for rail or other forms of  
52 transportation services. The commissioner may hold such properties  
53 for future use by the state and may enter into agreements for interim  
54 use of such properties for other purposes. Any person contracting with  
55 the state pursuant to this section for the provision of any  
56 transportation service shall not be considered an arm or agent of the  
57 state. Any damages caused by the operation of such transportation  
58 service by such person may be recovered in a civil action brought  
59 against such person in the superior court and such person may not  
60 assert the defense of sovereign immunity in such action.

61 Sec. 3. (NEW) (*Effective October 1, 2014*) Any person who, with intent  
62 to obtain state-owned or controlled bus public transportation service  
63 without payment of the lawful charge therefor or to avoid payment of  
64 the lawful charge for such service that has been rendered to such  
65 person, obtains such service or avoids payment therefor by force,  
66 intimidation, stealth, deception or mechanical tampering, or by  
67 unjustifiable failure or refusal to pay, shall have committed an  
68 infraction.

69 Sec. 4. Subdivision (7) of section 53a-119 of the 2014 supplement to  
70 the general statutes is repealed and the following is substituted in lieu  
71 thereof (*Effective October 1, 2014*):

72 (7) Theft of services. A person is guilty of theft of services when: (A)  
73 With intent to avoid payment for restaurant services rendered, or for  
74 services rendered to him as a transient guest at a hotel, motel, inn,  
75 tourist cabin, rooming house or comparable establishment, he avoids  
76 such payment by unjustifiable failure or refusal to pay, by stealth, or  
77 by any misrepresentation of fact which he knows to be false; or (B) (i)  
78 except as provided in section 3 of this act, with intent to obtain  
79 railroad, subway, bus, air, taxi or any other public transportation

80 service without payment of the lawful charge therefor or to avoid  
81 payment of the lawful charge for such transportation service which has  
82 been rendered to him, he obtains such service or avoids payment  
83 therefor by force, intimidation, stealth, deception or mechanical  
84 tampering, or by unjustifiable failure or refusal to pay, or (ii) with  
85 intent to obtain the use of equipment, including a motor vehicle,  
86 without payment of the lawful charge therefor, or to avoid payment of  
87 the lawful charge for such use which has been permitted him, he  
88 obtains such use or avoids such payment therefor by means of any  
89 false or fraudulent representation, fraudulent concealment, false  
90 pretense or personation, trick, artifice or device, including, but not  
91 limited to, a false representation as to his name, residence,  
92 employment, or driver's license; or (C) obtaining or having control  
93 over labor in the employ of another person, or of business, commercial  
94 or industrial equipment or facilities of another person, knowing that he  
95 is not entitled to the use thereof, and with intent to derive a  
96 commercial or other substantial benefit for himself or a third person,  
97 he uses or diverts to the use of himself or a third person such labor,  
98 equipment or facilities.

99 Sec. 5. Subsection (a) of section 16a-38k of the general statutes is  
100 repealed and the following is substituted in lieu thereof (*Effective from*  
101 *passage*):

102 (a) Notwithstanding any provision of the general statutes, any (1)  
103 new construction of a state facility that is projected to cost five million  
104 dollars, or more, and for which all budgeted project bond funds are  
105 allocated by the State Bond Commission on or after January 1, 2008, (2)  
106 renovation of a state facility that is projected to cost two million dollars  
107 or more, of which two million dollars or more is state funding,  
108 approved and funded on or after January 1, 2008, (3) new construction  
109 of a facility that is projected to cost five million dollars, or more, of  
110 which two million dollars or more is state funding, and is authorized  
111 by the General Assembly pursuant to chapter 173 on or after January 1,  
112 2009, and (4) renovation of a public school facility as defined in

113 subdivision (18) of section 10-282 that is projected to cost two million  
114 dollars or more, of which two million dollars or more is state funding,  
115 and is authorized by the General Assembly pursuant to chapter 173 on  
116 or after January 1, 2009, shall comply with or exceed compliance with  
117 the silver building rating of the Leadership in Energy and  
118 Environmental Design's rating system for new commercial  
119 construction and major renovation projects, as established by the  
120 United States Green Building Council, or an equivalent standard,  
121 including, but not limited to, a two-globe rating in the Green Globes  
122 USA design program until the regulations described in subsection (b)  
123 of this section are adopted. The Commissioner of Energy and  
124 Environmental Protection, in consultation with the Commissioner of  
125 Administrative Services and the Institute for Sustainable Energy, shall  
126 exempt any facility from complying with said regulations if the  
127 Commissioner of Energy and Environmental Protection finds, in a  
128 written analysis, that the cost of such compliance significantly  
129 outweighs the benefits. Nothing in this section shall be construed to  
130 require the redesign of any new construction of a state facility that is  
131 designed in accordance with the silver building rating of the  
132 Leadership in Energy and Environmental Design's rating system for  
133 new commercial construction and major renovation projects, as  
134 established by the United States Green Building Council, or an  
135 equivalent standard, including, but not limited to, a two-globe rating  
136 in the Green Globes USA design program, provided the design for  
137 such facility was initiated or completed prior to the adoption of the  
138 regulations described in subsection (b) of this section. For purposes of  
139 subdivisions (1) and (2) of this subsection, a state facility shall not  
140 include a salt shed, parking garage or any type of maintenance facility,  
141 provided such shed, garage or facility has incorporated best energy  
142 efficiency standards to the extent economically feasible.

143 Sec. 6. (*Effective from passage*) The Commissioner of Transportation  
144 shall conduct an analysis of the corrosive effects of chemical road  
145 treatments on (1) state snow and ice equipment vehicles, (2) state  
146 bridges, highways and other infrastructure, and (3) the environment.

147 Such analysis shall determine the cost of corrosion created by chemical  
148 road treatments and shall include an evaluation of alternative road  
149 treatment techniques and products, including, but not limited to, the  
150 addition of rust inhibitors to current chemical road treatments, and a  
151 comparison of costs and effectiveness. Not later than October 1, 2014,  
152 the commissioner shall submit a progress report, in accordance with  
153 the provisions of section 11-4a of the general statutes, to the joint  
154 standing committee of the General Assembly having cognizance of  
155 matters relating to transportation. Not later than July 1, 2015, the  
156 commissioner shall submit a final report, in accordance with the  
157 provisions of section 11-4a of the general statutes, to the joint standing  
158 committee of the General Assembly having cognizance of matters  
159 relating to transportation. Such final report shall include the findings,  
160 conclusions and recommendations of such analysis.

161 Sec. 7. (*Effective from passage*) Notwithstanding the provisions of  
162 section 13b-268 of the general statutes or any other provision of the  
163 general statutes, special act or regulation that prohibits the  
164 construction of any new highway railroad crossing at grade, the  
165 Department of Transportation shall allow the city of East Hartford or  
166 its authority or agent to construct an at-grade crossing on the  
167 Connecticut Southern Railroad Line between McAuliffe Park and  
168 Columbus Circle. The project shall first be approved by the legislative  
169 body of the city of East Hartford and the Connecticut Southern  
170 Railroad Company and constructed in accordance with the  
171 department's recommendations.

172 Sec. 8. (*Effective from passage*) Notwithstanding the provisions of  
173 section 13b-268 of the general statutes or any other provision of the  
174 general statutes, special act or regulation that prohibits the  
175 construction of any new highway railroad crossing at grade, the  
176 Department of Transportation shall allow the city of Waterbury or its  
177 authority or agent to construct an at-grade crossing on the Torrington  
178 Branch between Thomaston Avenue (State Road 847) and Commons  
179 Court. The project shall first be approved by the legislative body of the

180 city of Waterbury and the Naugatuck Railroad Company and  
181 constructed in accordance with the department's recommendations.

182       Sec. 9. (NEW) (*Effective from passage*) (a) For the purposes of this  
183 section, (1) "dispatch" means any communication, irrespective of  
184 whether through two-way radio, cellular telephone, portable or  
185 handheld device, monitor, computer or other electronic device,  
186 between a certificate holder, a person or an agent of any association,  
187 limited liability company or corporation and a taxicab or a motor  
188 vehicle in livery service driver or operator for the purpose of (A)  
189 locating passengers, or (B) routing taxicabs or motor vehicles in livery  
190 service; and (2) "certificate holder" means any person, association,  
191 limited liability corporation or corporation who has been granted (A) a  
192 taxicab certificate of public convenience and necessity pursuant to  
193 section 13b-97 of the general statutes, or (B) a motor vehicle in livery  
194 service permit issued pursuant to section 13b-103 of the general  
195 statutes.

196       (b) Until July 1, 2015, a certificate holder, a person, or an agent of  
197 any association, limited liability company or corporation shall not  
198 knowingly dispatch, or cause dispatch to be made, to any taxicab or  
199 any motor vehicle in livery service unless such vehicle is (1) covered  
200 under a taxicab certificate of public convenience and necessity or a  
201 motor vehicle in livery service permit, as applicable, and (2) in  
202 compliance with the rates and charges established pursuant to section  
203 13b-96 or 13b-102 of the general statutes, as amended by this act, as  
204 applicable.

205       (c) Until July 1, 2015, no person shall accept dispatch unless such  
206 person is covered under a valid taxicab certificate of public  
207 convenience and necessity or a motor vehicle in livery service permit,  
208 as applicable, and is in compliance with the rates and charges  
209 established pursuant to section 13b-96 or 13b-102 of the general  
210 statutes, as amended by this act, as applicable.

211       Sec. 10. Section 13b-108 of the general statutes is repealed and the

212 following is substituted in lieu thereof (*Effective from passage*):

213 (a) Any person or any officer of any association, limited liability  
214 company or corporation who violates any provision of sections  
215 13b-101 to 13b-107, inclusive, or any order or regulation adopted,  
216 prescribed or established under any such provision shall be fined not  
217 more than five hundred dollars for the first offense and for a second  
218 offense shall be fined two thousand dollars and may be enjoined from  
219 further operation or maintenance of a livery business pursuant to  
220 subsection [(b)] (c) of this section.

221 (b) Any person, or any officer of any association, limited liability  
222 company or corporation, who violates any provision of section 9 of this  
223 act shall be fined not more than five hundred dollars for a first offense  
224 and for a second offense shall be fined two thousand dollars and may  
225 be enjoined from further operation or maintenance of a livery or a  
226 taxicab business, as applicable, pursuant to subsection (c) of this  
227 section.

228 [(b)] (c) Any person or any officer of any association, limited liability  
229 company or corporation who violates section 13b-103 or section 9 of  
230 this act may be enjoined from further operation or maintenance of any  
231 livery or taxicab business, as applicable, by order of the Superior  
232 Court. The Commissioner of Transportation shall bring any  
233 application for an injunction to the judicial district in which the  
234 principal place of business of any such person, association, limited  
235 liability company or corporation is located. The court upon a finding of  
236 a violation of section 13b-103 or section 9 of this act may issue an  
237 injunction and make such orders for the discontinuance of such  
238 business as it deems equitable.

239 Sec. 11. Section 15-120mm of the 2014 supplement to the general  
240 statutes is amended by adding subsection (h) as follows (*Effective from*  
241 *passage*):

242 (NEW) (h) The executive director, as described in subsection (d) of



243 section 15-120bb, as amended by this act, may, at the discretion of the  
244 authority and at the one-time irrevocable option of the executive  
245 director, be exempted from the provision of subsection (g) of this  
246 section for the purposes of retirement under chapter 66 or group  
247 welfare benefits under sections 5-257 and 5-259. If the executive  
248 director elects either or both such options, as approved by the  
249 authority, the executive director's participation in the retirement or  
250 group benefits plan, as applicable, shall be suspended during the  
251 period of such election while the executive director is an employee of  
252 the authority. The authority may develop and implement retirement  
253 plans and group welfare benefits for the executive director. Such plans  
254 shall not be subject to supervision, oversight or approval by the State  
255 Employees Retirement Commission under chapter 66 or the  
256 Comptroller, Attorney General or Insurance Commissioner under  
257 chapter 67, provided any such retirement plan shall be considered a  
258 Connecticut retirement plan for purposes of subsection (d) of section 5-  
259 160. The authority shall pay all costs, fees, contributions and other  
260 expenses incurred as a result of any such retirement plan or group  
261 welfare benefit.

262 Sec. 12. Section 20-340 of the general statutes is repealed and the  
263 following is substituted in lieu thereof (*Effective from passage*):

264 The provisions of this chapter shall not apply to: (1) Persons  
265 employed by any federal, state or municipal agency; (2) employees of  
266 any public service company regulated by the Public Utilities  
267 Regulatory Authority or of any corporate affiliate of any such  
268 company when the work performed by such affiliate is on behalf of a  
269 public service company, but in either case only if the work performed  
270 is in connection with the rendition of public utility service, including  
271 the installation or maintenance of wire for community antenna  
272 television service, or is in connection with the installation or  
273 maintenance of wire or telephone sets for single-line telephone service  
274 located inside the premises of a consumer; (3) employees of any  
275 municipal corporation specially chartered by this state; (4) employees

276 of any contractor while such contractor is performing electrical-line or  
277 emergency work for any public service company; (5) persons engaged  
278 in the installation, maintenance, repair and service of electrical or other  
279 appliances of a size customarily used for domestic use where such  
280 installation commences at an outlet receptacle or connection  
281 previously installed by persons licensed to do the same and  
282 maintenance, repair and service is confined to the appliance itself and  
283 its internal operation; (6) employees of industrial firms whose main  
284 duties concern the maintenance of the electrical work, plumbing and  
285 piping work, solar thermal work, heating, piping, cooling work, sheet  
286 metal work, elevator installation, repair and maintenance work,  
287 automotive glass work or flat glass work of such firm on its own  
288 premises or on premises leased by it for its own use; (7) employees of  
289 industrial firms when such employees' main duties concern the  
290 fabrication of glass products or electrical, plumbing and piping, fire  
291 protection sprinkler systems, solar, heating, piping, cooling, chemical  
292 piping, sheet metal or elevator installation, repair and maintenance  
293 equipment used in the production of goods sold by industrial firms,  
294 except for products, electrical, plumbing and piping systems and  
295 repair and maintenance equipment used directly in the production of a  
296 product for human consumption; (8) persons performing work  
297 necessary to the manufacture or repair of any apparatus, appliances,  
298 fixtures, equipment or devices produced by it for sale or lease; (9)  
299 employees of stage and theatrical companies performing the operation,  
300 installation and maintenance of electrical equipment if such  
301 installation commences at an outlet receptacle or connection  
302 previously installed by persons licensed to make such installation; (10)  
303 employees of carnivals, circuses or similar transient amusement shows  
304 who install electrical work, provided such installation shall be subject  
305 to the approval of the State Fire Marshal prior to use as otherwise  
306 provided by law and shall comply with applicable municipal  
307 ordinances and regulations; (11) persons engaged in the installation,  
308 maintenance, repair and service of glass or electrical, plumbing, fire  
309 protection sprinkler systems, solar, heating, piping, cooling and sheet  
310 metal equipment in and about single-family residences owned and

311 occupied or to be occupied by such persons; provided any such  
312 installation, maintenance and repair shall be subject to inspection and  
313 approval by the building official of the municipality in which such  
314 residence is located and shall conform to the requirements of the State  
315 Building Code; (12) persons who install, maintain or repair glass in a  
316 motor vehicle owned or leased by such persons; (13) persons or entities  
317 holding themselves out to be retail sellers of glass products, but not  
318 such persons or entities that also engage in automotive glass work or  
319 flat glass work; (14) persons who install preglazed or preassembled  
320 windows or doors in residential or commercial buildings; (15) persons  
321 registered under chapter 400 who install safety-backed mirror  
322 products or repair or replace flat glass in sizes not greater than thirty  
323 square feet in residential buildings; (16) sheet metal work performed in  
324 residential buildings consisting of six units or less by new home  
325 construction contractors registered pursuant to chapter 399a, by home  
326 improvement contractors registered pursuant to chapter 400 or by  
327 persons licensed pursuant to this chapter, when such work is limited  
328 to exhaust systems installed for hoods and fans in kitchens and baths,  
329 clothes dryer exhaust systems, radon vent systems, fireplaces, fireplace  
330 flues, masonry chimneys or prefabricated metal chimneys rated by  
331 Underwriters Laboratories or installation of stand-alone appliances  
332 including wood, pellet or other stand-alone stoves that are installed in  
333 residential buildings by such contractors or persons; (17) employees of  
334 or any contractor employed by and under the direction of a properly  
335 licensed solar contractor, performing work limited to the hoisting,  
336 placement and anchoring of solar collectors, photovoltaic panels,  
337 towers or turbines; [and] (18) persons performing swimming pool  
338 maintenance and repair work authorized pursuant to section 20-417aa;  
339 and (19) any employee of the Connecticut Airport Authority covered  
340 by a state collective bargaining agreement.

341 Sec. 13. Section 15-120bb of the 2014 supplement to the general  
342 statutes is repealed and the following is substituted in lieu thereof  
343 (*Effective from passage*):

344 (a) There is hereby established and created a body politic and  
345 corporate, constituting a public instrumentality and political  
346 subdivision of the state of Connecticut established and created for the  
347 performance of an essential public and governmental function, to be  
348 known as the Connecticut Airport Authority. The authority shall not  
349 be construed to be a department, institution or agency of the state.

350 (b) The powers of the authority shall be vested in and exercised by a  
351 board of directors, which shall consist of [eleven] thirteen members,  
352 appointed as follows: (1) (A) The Treasurer or the Treasurer's designee,  
353 (B) the Commissioner of Transportation or the commissioner's  
354 designee, and (C) the Commissioner of Economic and Community  
355 Development or the commissioner's designee, each serving ex officio;  
356 (2) one appointed by the speaker of the House of Representatives for a  
357 term of four years; (3) one appointed by the minority leader of the  
358 House of Representatives for a term of four years; (4) one appointed by  
359 the president pro tempore of the Senate for a term of four years; [and]  
360 (5) one appointed by the minority leader of the Senate for a term of  
361 four years; (6) one appointed by the majority leader of the House of  
362 Representatives for a term of two years; and (7) one appointed by the  
363 majority leader of the Senate for a term of two years. Thereafter, such  
364 members of the General Assembly shall appoint members of the board  
365 to succeed such appointees whose terms expire and each member so  
366 appointed shall hold office for a period of four years from the first day  
367 of July in the year of his or her appointment. The Governor shall  
368 appoint four members to the board as follows: (A) Two members for  
369 two years; and (B) two members for four years. Thereafter, the  
370 Governor shall appoint members of the board to succeed such  
371 appointees whose terms expire and each member so appointed shall  
372 hold office for a period of four years from July first in the year of his or  
373 her appointment. Appointed directors shall have business and  
374 management experience and shall include individuals who have  
375 experience and expertise in one or more of the following areas: (i)  
376 Financial planning, (ii) budgeting and assessment, (iii) marketing, (iv)  
377 master planning, (v) aviation, and (vi) transportation management.

378 (c) Appointed directors may not designate a representative to  
379 perform in their absence their respective duties under this section. Any  
380 appointed director who fails to attend three consecutive meetings of  
381 the board or who fails to attend fifty per cent of all meetings of the  
382 board held during any calendar year shall be deemed to have resigned  
383 from the board. Any vacancy occurring other than by expiration of  
384 term shall be filled in the same manner as the original appointment for  
385 the balance of the unexpired term.

386 (d) The board of directors of the authority shall appoint an executive  
387 director who shall not be a member of the board and who shall serve at  
388 the pleasure of the board and receive such compensation as shall be  
389 fixed by the board. The executive director shall be the chief  
390 administrative officer of the authority and shall direct and supervise  
391 administrative affairs and technical activities in accordance with the  
392 directives of the board. The executive director shall approve all  
393 accounts for salaries, allowable expenses of the authority or of any  
394 employee or consultant thereof, and expenses incidental to the  
395 operation of the authority. The executive director shall perform such  
396 other duties as may be directed by the board in carrying out the  
397 purposes of subdivision (12) of section 1-79, sections 1-120, 1-124 and  
398 1-125, subsection (f) of section 4b-3, sections 13b-4 and 13b-42,  
399 subsection (a) of section 13b-44 and sections 15-101aa and 15-120aa to  
400 15-120oo, inclusive. The executive director shall be exempt from the  
401 classified service. The executive director shall attend all meetings of  
402 the board, keep a record of the proceedings of the authority and shall  
403 maintain and be custodian of all books, documents and papers filed  
404 with the authority and of the minute book or journal of the authority  
405 and of its official seal. The executive director may cause copies to be  
406 made of all minutes and other records and documents of the authority  
407 and may give certificates under the official seal of the authority to the  
408 effect that such copies are true copies, and all persons dealing with the  
409 authority may rely upon such certificates.

410 (e) Each director shall be entitled to reimbursement for such

411 director's actual and necessary expenses incurred during the  
412 performance of such director's official duties.

413 (f) Directors may engage in private employment, or in a profession  
414 or business, subject to any applicable laws, rules and regulations of the  
415 state or federal government regarding official ethics or conflict of  
416 interest.

417 (g) [Six] Seven directors of the authority shall constitute a quorum  
418 for the transaction of any business or the exercise of any power of the  
419 authority. For the transaction of any business or the exercise of any  
420 power of the authority, and except as otherwise provided in this  
421 section, the authority may act by a majority of the directors present at  
422 any meeting at which a quorum is in attendance.

423 (h) The board may delegate to [six] seven or more directors such  
424 board powers and duties as it may deem necessary and proper in  
425 conformity with the provisions of this section and its bylaws.

426 (i) The appointing authority for any director may remove such  
427 director for inefficiency, neglect of duty or misconduct in office after  
428 giving the director a copy of the charges against the director and an  
429 opportunity to be heard, in person or by counsel, in the director's  
430 defense, upon not less than ten days' notice. If any director shall be so  
431 removed, the appointing authority for such director shall file in the  
432 office of the Secretary of the State a complete statement of charges  
433 made against such director and the appointing authority's findings on  
434 such statement of charges, together with a complete record of the  
435 proceedings.

436 (j) The authority shall continue as long as it has bonds or other  
437 obligations outstanding and until its existence is terminated by law.  
438 Upon the termination of the existence of the authority, all its rights and  
439 properties shall pass to and be vested in the state of Connecticut.

440 (k) Notwithstanding any provision of the general statutes, it shall  
441 not constitute a conflict of interest for a trustee, director, partner or

442 officer of any person, firm or corporation, or any individual having a  
443 financial interest in a person, firm or corporation, to serve as a director  
444 of the authority, provided such trustee, director, partner, officer or  
445 individual shall abstain from deliberation, action or vote by the  
446 authority in specific respect to such person, firm or corporation.

447 (l) The Governor shall appoint the chairperson of the board, who  
448 shall serve for a term of four years. The board shall elect from its  
449 members a vice chairperson and such other officers as it deems  
450 necessary. Vacancies among any officers shall be filled within thirty  
451 days following the occurrence of such vacancy in the same manner as  
452 the original selection. Said board shall establish bylaws to govern its  
453 procedures and shall appoint such committees and advisory boards as  
454 may be convenient or necessary in the transaction of its business.

455 (m) The initial members of the board may begin service  
456 immediately upon appointment, but shall not serve past the sixth  
457 Wednesday of the next regular session of the General Assembly unless  
458 qualified in the manner provided in section 4-7. Thereafter, all  
459 appointments shall be made with the advice and consent of both  
460 houses of the General Assembly, in the manner provided in section 4-  
461 19.

462 Sec. 14. Subsection (e) of section 13a-123 of the 2014 supplement to  
463 the general statutes is repealed and the following is substituted in lieu  
464 thereof (*Effective from passage*):

465 (e) The following types of signs, displays and devices may, with the  
466 approval of and subject to regulations adopted by the commissioner,  
467 be permitted within the six-hundred-sixty-foot area of interstate,  
468 primary and other limited access state highways, except as prohibited  
469 by state statute, local ordinance or zoning regulation: (1) Directional  
470 and other official signs or notices, which signs and notices shall  
471 include, but not be limited to, signs and notices pertaining to natural  
472 wonders and scenic and historical attractions which are required or  
473 authorized by law; (2) signs, displays and devices advertising the sale

474 or lease of the property upon which they are located; (3) signs, displays  
475 and devices advertising activities conducted on the property on which  
476 they are located; [(4) directional and other official signs or notices  
477 pertaining to facilities in this state where Connecticut-made beer is  
478 manufactured or sold, including, but not limited to, signs or notices  
479 containing the words "Connecticut Brewery Trail"; (5)] (4) signs,  
480 displays or advertising devices which are in place for sixty days or  
481 less; and [(6)] (5) advertising signs, displays or devices (A) located or  
482 erected on real property or abutting real property within areas owned,  
483 leased or managed by a public authority for the purpose of (i) railway  
484 or rail infrastructure facilities, including, but not limited to, associated  
485 structures located within areas zoned solely or predominantly for the  
486 development of a railway or rail infrastructure facilities, (ii) bus rapid  
487 transit corridors, including, but not limited to, the Hartford-New  
488 Britain busway project authorized in section 13b-15a, and any shelter,  
489 structure or other facility associated with the operation of such bus  
490 rapid transit corridor, (iii) airport development zones designated in  
491 section 32-75d, or (iv) any other similar transit or freight purpose, or  
492 (B) upon or within buildings, structures or other venues in the custody  
493 or control of the state and designed, operated or intended to be  
494 operated for the purpose of presenting athletic, artistic, musical or  
495 other entertainment events. Subject to regulations adopted by the  
496 commissioner and except as prohibited by state statute, local ordinance  
497 or zoning regulation signs, displays and devices may be erected and  
498 maintained within six hundred sixty feet of primary and other limited  
499 access state highways in areas which are zoned for industrial or  
500 commercial use under authority of law or located in unzoned  
501 commercial or industrial areas which areas shall be determined from  
502 actual land uses and defined by regulations of the commissioner. The  
503 regulations of the commissioner in regard to size, spacing and lighting  
504 shall apply to any segments of the interstate system which traverse  
505 commercial or industrial zones wherein the use of real property  
506 adjacent to the interstate system is subject to municipal regulation or  
507 control, or which traverse other areas where the land use, as of  
508 September 21, 1959, was clearly established under state law as



509 industrial or commercial.

510 Sec. 15. Section 13a-124 of the general statutes is repealed and the  
511 following is substituted in lieu thereof (*Effective from passage*):

512 No person, firm or corporation shall erect or maintain or cause to be  
513 erected or maintained, within three hundred feet of any state highway,  
514 any sign which has thereon any of the following words: "Stop",  
515 "caution", "danger", "dangerous", "warning" or "slow", or any other  
516 word or character or any device, floodlight or spotlight, signal or  
517 symbol intended to give or capable of giving warning or direction to or  
518 interfering with traffic, except with the approval or under the direction  
519 of the commissioner. No provision of this section shall be construed to  
520 prevent any officer of any municipality or any public utility company  
521 from erecting or maintaining any danger or warning sign required by  
522 statute or any sign designed for the protection of the public or to aid in  
523 the operation of any public utility. No such direction or danger sign  
524 shall bear the name of any article or product or the name or address of  
525 any person, firm or corporation or any advertisement, except that a  
526 directional sign may bear directions and other official notices  
527 pertaining to (1) farming that is part of the state's agricultural tourism;  
528 (2) facilities in this state where Connecticut-made beer is manufactured  
529 or sold, including, but not limited to, signs or notices containing the  
530 words "Connecticut Brewery Trail"; or (3) any farm in this state located  
531 within ten miles of a state-maintained limited access highway, except a  
532 parkway, where Connecticut-made wine is manufactured or sold,  
533 including, but not limited to, signs or notices containing the words  
534 "Connecticut Wine Trail". The commissioner may enter upon any  
535 property and remove any sign which does not conform to the  
536 provisions of this section. Any person, any member of any firm or any  
537 corporation violating any provision of this section shall be fined not  
538 more than one hundred dollars for the first offense and not more than  
539 five hundred dollars for each subsequent offense.

540 Sec. 16. Section 13a-124b of the general statutes is repealed and the  
541 following is substituted in lieu thereof (*Effective from passage*):

542 The design and production of directional and other official signs or  
543 notices pertaining to facilities in this state where Connecticut-made  
544 beer is manufactured or sold, pursuant to [subsection (e) of section  
545 13a-123] section 13a-124, as amended by this act, may be paid for by  
546 private persons or entities affiliated with Connecticut-made beer  
547 manufacturers or sellers.

548 Sec. 17. Subsection (f) of section 13a-26 of the general statutes is  
549 repealed and the following is substituted in lieu thereof (*Effective from*  
550 *passage*):

551 (f) The provisions of this part restricting the use and  
552 accommodation of motor vehicle traffic on parkways to  
553 noncommercial vehicles shall not apply to use of the Merritt and  
554 Wilbur Cross Parkways by (1) taxicabs, as defined in section 13b-95, (2)  
555 vanpool vehicles, as defined in section 14-1, or (3) service buses,  
556 service buses for students with special needs, or two-axle, four-  
557 wheeled type II, registered school buses with a gross vehicle weight  
558 rating of [nine thousand six hundred] ten thousand pounds or less,  
559 which are owned by or under contract to a public, private or religious  
560 school or public school district and which are engaged in the  
561 transportation of school children to and from school or school  
562 activities, provided (A) such service buses conform to the regulations  
563 establishing the maximum weight, length, height or width of vehicles  
564 permitted to use such parkways; [and] (B) such school buses are [no]  
565 not more than ninety-eight inches high, eighty-four inches wide and  
566 two hundred three inches long; and (C) such service buses for students  
567 with special needs are not more than one hundred twenty inches high,  
568 ninety inches wide and two hundred eighty-eight inches long. The  
569 Office of the State Traffic Administration shall adopt regulations in  
570 accordance with chapter 54 establishing the maximum allowable  
571 length and height for any vanpool vehicle using said Merritt and  
572 Wilbur Cross Parkways and, not later than July 1, 1984, publish in the  
573 Connecticut Law Journal a notice of intent to adopt proposed  
574 regulations, as defined in section 4-166, reducing the maximum

575 weight, length, height or width of, or limiting the registration classes  
576 of, motor vehicles permitted to use such parkways, in order to fully  
577 carry out the prohibition on the operation of commercial motor  
578 vehicles on such parkways.

579 Sec. 18. Section 13b-102 of the general statutes is repealed and the  
580 following is substituted in lieu thereof (*Effective from passage*):

581 (a) (1) Each person, association, limited liability company or  
582 corporation owning or operating a motor vehicle in livery service shall  
583 be subject to the jurisdiction of the Department of Transportation, and  
584 the department may prescribe adequate service and reasonable rates  
585 and charges and prescribe and establish such reasonable regulations  
586 with respect to fares, service, operation and equipment as it deems  
587 necessary for the convenience, protection, safety and best interests of  
588 passengers and the public.

589 (2) Notwithstanding the provisions of subdivision (1) of this  
590 subsection with respect to reasonable rates and charges, each person,  
591 association, limited liability company or corporation operating a motor  
592 vehicle in livery service having a seating capacity of ten or more adults  
593 shall file a schedule of reasonable maximum rates and charges with the  
594 Department of Transportation. The provisions of subdivision (1) of this  
595 subsection with respect to rates and charges shall not apply to any  
596 person, association, limited liability company or corporation operating  
597 a motor vehicle engaged in the transportation of passengers for hire by  
598 virtue of a contract with, or a lower tier contract for, any federal, state  
599 or municipal agency.

600 (b) Each person, association, limited liability company or  
601 corporation operating a motor vehicle by virtue of authorization issued  
602 by the Federal Highway Administration for charter and special  
603 operation shall register such authorization for interstate operation with  
604 the Department of Transportation if such person, association, limited  
605 liability company or corporation maintains a domicile or principal  
606 office in the state. Each person operating a motor vehicle by virtue of

607 authorization issued by the Federal Highway Administration for  
608 charter and special operation shall, prior to such registration, submit to  
609 a state and national criminal history records check, conducted in  
610 accordance with section 29-17a, and provide the results of such records  
611 check to the Department of Transportation.

612 Sec. 19. Section 13b-329 of the general statutes is repealed and the  
613 following is substituted in lieu thereof (*Effective from passage*):

614 (a) Each engine used upon a railroad shall be supplied with an  
615 audible signal of sufficient amplification for existing circumstances,  
616 which audible signal shall be so attached to such engine as to be  
617 conveniently accessible to the engineer and in good order for use.  
618 [Each] Except where a wayside horn has been installed pursuant to  
619 subsection (b) of this section, each person controlling the motions of an  
620 engine on a railroad shall commence sounding the audible signal when  
621 such engine is approaching and is within eighty rods of the place  
622 where such railroad crosses any highway at grade and shall keep such  
623 audible signal occasionally sounding until such engine has crossed  
624 such highway, provided when it appears to the Commissioner of  
625 Transportation upon the written complaint of an elected official of any  
626 town, city or borough wherein such crossing at grade is located that  
627 public safety requires the commencing of the sounding of the audible  
628 signal at a distance greater or lesser than eighty rods from such  
629 crossing at grade, the Commissioner of Transportation shall make such  
630 order in relation thereto as he deems advisable, provided in no event  
631 shall said Commissioner of Transportation order the sounding of any  
632 audible signal to commence at a distance of less than twenty-seven  
633 rods from any crossing at grade. The company in whose service such  
634 person may be shall pay all damages which may accrue to any person  
635 in consequence of any omission to comply with any provision of this  
636 subsection; and no railroad company shall knowingly employ an  
637 engineer who has been twice convicted of violating any provision of  
638 this subsection.

639 (b) A wayside horn may be used in lieu of a horn attached to an

640 engine at any highway-rail grade crossing equipped with an active  
641 warning system consisting of, at a minimum, flashing lights and gates.  
642 Such wayside horn shall (1) conform to the federal requirements for  
643 wayside horn use, and (2) sound at a minimum of twenty-nine seconds  
644 prior to the train's arrival at the crossing, while the lead locomotive is  
645 traveling across the crossing and occasionally thereafter until such  
646 engine has crossed such highway. Any entity installing a wayside horn  
647 shall comply with the federal requirements for written notice set forth  
648 in 49 CFR 222. For the purposes of this section, "wayside horn" has the  
649 same meaning as provided in 49 CFR 222.9, as amended from time to  
650 time.

651     ~~[(b)]~~ [(c)] The Commissioner of Transportation, with the advice of the  
652 Commissioner of Energy and Environmental Protection, may establish  
653 by regulation the maximum decibel levels which may be emitted by  
654 any audible signal attached to a train engine, provided such maximum  
655 decibel level shall not be less than eighty-seven decibels.

656     ~~[(c)]~~ [(d)] Any railroad company operating any train engine which is  
657 equipped with an audible signal which produces noise emissions in  
658 excess of the maximum decibel levels allowed for such devices as  
659 established by said Commissioner of Transportation is in violation of  
660 this section.

661     Sec. 20. (*Effective from passage*) Not later than January 1, 2015, the  
662 Department of Transportation shall, within available appropriations,  
663 submit a report, in connection with the state-certified industrial  
664 reinvestment project authorized pursuant to public act 14-2 and in  
665 accordance with the provisions of section 11-4a of the general statutes,  
666 to the joint standing committee of the General Assembly having  
667 cognizance of matters relating to transportation. Such report shall  
668 include a study of the challenges to access and egress in and around  
669 the stadium facility site, as defined in section 32-651 of the general  
670 statutes, recommendations for solutions to such challenges and an  
671 estimate of the cost of such solutions.

672       Sec. 21. (*Effective from passage*) The Commissioner of Transportation,  
 673 in consultation with the Commissioner of Motor Vehicles, shall  
 674 conduct an analysis of the regulatory need, applicability, feasibility  
 675 and impact of the use of cellular mobile telephone applications, or  
 676 comparable application technology, for taxicab and livery service. Not  
 677 later than July 1, 2015, the Commissioner of Transportation shall  
 678 submit, in accordance with the provisions of section 11-4a of the  
 679 general statutes, a report to the joint standing committee of the General  
 680 Assembly having cognizance of matters relating to transportation.  
 681 Such report shall include the findings, conclusions and  
 682 recommendations from such analysis.

683       Sec. 22. (*Effective from passage*) The southern section of Saybrook  
 684 Road in Middletown, between Randolph Road and Aircraft  
 685 Road/Route 9 ramps, shall be classified as an urban minor arterial by  
 686 the Department of Transportation in their functional roadway  
 687 classification listing."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	13b-2
Sec. 2	<i>October 1, 2014</i>	13b-34(a)
Sec. 3	<i>October 1, 2014</i>	New section
Sec. 4	<i>October 1, 2014</i>	53a-119(7)
Sec. 5	<i>from passage</i>	16a-38k(a)
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	13b-108
Sec. 11	<i>from passage</i>	15-120mm
Sec. 12	<i>from passage</i>	20-340
Sec. 13	<i>from passage</i>	15-120bb
Sec. 14	<i>from passage</i>	13a-123(e)
Sec. 15	<i>from passage</i>	13a-124
Sec. 16	<i>from passage</i>	13a-124b
Sec. 17	<i>from passage</i>	13a-26(f)

Sec. 18	<i>from passage</i>	13b-102
Sec. 19	<i>from passage</i>	13b-329
Sec. 20	<i>from passage</i>	New section
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>from passage</i>	New section